

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Sri Shaik Junnu, SI (Rtd) Bodhan, Nizamabad –Regularization of out of employment period-- Orders – Issued

HOME (SER.II) DEPARTMENT

G.O.Rt. No. 105

Dated:22-1-2011

Read the following:

1. G.O.Rt.No. 2450 Home (Pol.C) Dept., dated: 21-9-1999
2. Govt Memo.No. 29236/Ser.II/A3/2009, dated: 3-12-2009
3. From the Hon'ble APAT, Orders dated: 22-10-2010 in OA.No. 4446/2010
4. Govt Memo.No. 32177/Ser.II/A3/2010, dated:15-12-2010
5. From Sri Shaik Junnu, SI (Rtd) Bodhan, Nizamabad representation dated: 24-12-2010

Order:

In the reference 2nd read above, Government have treated the out of employment period of Sri Shaik Junnu, Sub-Inspector of Police (Rtd) Nizamabad District, as not on duty since he was not fully exonerated from the charges.

2. Aggreived with the above, Sri Sk Junnu has approached the Hon'ble APAT in OA.No. 4446/2010 against the Govt.Memo.No. 29236/Ser.II/A3/2009, dated: 3-12-2009 in treating the out of employment period as not on duty. The Hon'ble APAT, Hyderabad, have passed the following orders in OA.No. 4446/2010 dated: 22-10-2010:

“The OA.No. 4446/2008 is allowed in part. The impugned order (Memo.No. 29236/Ser.II/A3/2009, dated: 3-12-2009) treating the period of out of employment as not on duty is set aside. The Government is directed to follow the FR 54 (4) (5) and give an opportunity to the applicant and to pass final orders thereupon. As the criminal case ended in acquittal and the departmental proceedings resulted only in reduction in time scale of pay the applicant is entitled for full pension gratuity and other Allowances. His pension has to be fixed after passing orders about the treatment of period of out of employment. So the respondents are directed to pass orders regarding the period of out of employment and fix the pension of the applicant and accordingly pay him pension and retirement benefits as per Rules. “

3. As per the above directions of the Hon'ble Tribunal in OA.No. 4446/2010 dated: 22-10-2010, Government have re-examined the matter in terms of FR 54 (4) (5) and (7) and provisionally decided to pay an amount equal to the subsistence allowance and other allowances admissible under FR 53 to the applicant Sri Shaik Junnu Sub-Inspector of Police (Rtd) Nizamabad District, for the out of employment period by treating the said period as not on duty. A notice has been issued in the reference 4th read above, directing the applicant to submit his further representation with regard to the above proposed quantum of amount as per FR 54 (4). In the reference 5th read above, the applicant has submitted his explanation to the Government requesting to treat the out of employment period as on duty and pay all other benefits.

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4. Government after careful examination of the matter, hereby confirm the provisional decision to pay an amount equal to the subsistence allowance and other allowances admissible under Rule 53, to the applicant Sri Shaik Junnu, Sub-Inspector of Police (Rtd) Nizamabad District, for the out of employment period by treating the said period as not on duty, as per FR 54 (4) (5) and (7).

5. The Director General of Police, AP, Hyderabad, is requested to take necessary action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P. GAUTAM KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To,
The Director General of Police, Andhra Pradesh, Hyderabad
Sri Shaik Junnu Sub-Inspector of Police (Rtd) Nizamabad District
H.No. 1-1-627, Rakaipet, Bodhan, Nizamabad District
Sc/Sf

//Forwarded :: By order//

SECTION OFFICER